

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DENNIS TOMOSON,	)	
	)	
Plaintiff,	)	NO. CV-05-112-MWL
	)	
v.	)	ORDER GRANTING DEFENDANT'S
	)	MOTION TO DISMISS PURSUANT
	)	TO 12(B)(6)
RICHARD MORGAN, et. al.,	)	
	)	
Defendants.	)	
_____	)	

Defendants, having filed a Motion to Dismiss plaintiff's due process and equal protection claims pursuant to Fed. R. Civ. P. 12(B)(6) in this matter, and the Court being fully advised and having examined the files herein;

NOW THEREFORE, it is hereby

**ORDERED** that defendant's motion to dismiss two of the claims (Ct. Rec. 11) is **GRANTED**. Plaintiff's retaliation claim remains pending.

**DATED** this 10<sup>th</sup> day of August, 2005.

s/ Michael W. Leavitt

MICHAEL W. LEAVITT

United States Magistrate Judge